

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

JENNIFER RONDINELLI REILLY,

Plaintiff,

v.

LOUDER WITH CROWDER LLC,

Defendant.

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Case No. 3:20-cv-395-S

DEFENDANT’S MOTION TO STRIKE PLEADINGS AND DISQUALIFY COUNSEL

Defendant Louder With Crowder LLC (“Defendant” or “LWC”) by and through its undersigned counsel, files this Reply in support of its Motion to Strike Pleadings and Disqualify Counsel, and respectfully states as follows:

ARGUMENT

In his Response [Dkt. 42], Plaintiff’s lead counsel, Richard Liebowitz (“Liebowitz”), contends that because he notified the Clerk of Court of *some* of his disciplinary actions the Motion should not be granted.

But contrary to the Response, Liebowitz has not complied with Local Rule 83.8(d), which requires prompt reporting if a member of the bar of this Court has “lost or relinquished, temporarily or permanently, the right to practice in any court of record” or “been disciplined, publicly or privately, by any court, bar, court agency, or committee.” LR 83.8(d).

From the letter submitted as Exhibit A to Liebowitz’s declaration, his counsel notified the Clerk of Court of the following suspensions on December 9, 2020:

1. Southern District of New York – November 30, 2020
2. Eastern District of New York – December 3, 2020

3. Middle District of Tennessee – December 2, 2020
4. District of Colorado – Dates uncertain

As set forth in *Jamieson*, a District of Colorado case cited in the Motion, Liebowitz was suspended from the Northern District of California on **June 3, 2020**. *See Jamieson v. Hoven Vision LLC*, No. 20-CV-1122-WJM-KLM, 2020 WL 7043865, at *2 (D. Colo. Dec. 1, 2020) (“On June 3, 2020, the Clerk of Court entered an advisory notice stating that the Northern District of California had entered an Order of Disbarment against Mr. Liebowitz...”).¹ This disbarment was omitted from the above letter.

Likewise, even going as far back to **2019**, Liebowitz was already “held in contempt of court by the United States District Court for the Southern District of New York. *See Berger v. Imagina Consulting, Inc.*, No. 7:18-cv-08956-CS, (S.D.N.Y. Nov. 13, 2019) (Minute Entry for proceedings held before Judge Cathy Seibel where the court declined to vacate the findings of contempt based on failure to produce death certificate and failure to pay contempt sanctions, finding that Mr. Liebowitz willfully lied to the court and willfully failed to comply with lawful court orders).” *Mondragon v. Nostrak LLC*, No. 19-CV-01437-CMA-NRN, 2020 WL 607069, at *2 (D. Colo. Feb. 7, 2020). This November 2019 contempt of court holding started the clock on Liebowitz’s self-reporting requirements under Rule 83.8(d), *even before this case was filed* in February 2020.

¹ Liebowitz even makes clear his intention to not comply with Local Rule 83.8(d) going forward: “...we will not burden this Court by continually advising it in writing of subsequent reciprocal discipline imposed upon Mr. Liebowitz by the numerous other federal jurisdictions.” [Dkt. 42-2 at 3.]

Dated: April 29, 2021

Respectfully submitted,

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COUNSEL FOR DEFENDANT

CERTIFICATE OF SERVICE

The undersigned counsel for Defendant does certify that he served this pleading on all counsel of record by electronic filing on April 29, 2021 through the CM/ECF system.

s/ Andrew Lin
Andrew Lin